

THE TIMES: A SOUTHERN LITERARY AND FAMILY PAPER.

North Carolina State Educational Association—Fifth Annual Meeting

WILMINGTON, NOVEMBER 13th.

The Association met in the City Hall, at 8 o'clock P. M. The President, Mr. W. W. Holden, being absent, the meeting was called to order by Prof. C. W. Smythe, of Lexington, one of the Vice Presidents.

The session was opened with prayer by Rev. W. H. Doherty, of Graham College.

The presiding officer then made some very appropriate remarks on the objects of the meeting.

On motion, the President appointed Messrs. C. C. Cole, and S. H. Wiley, a Committee to enquire the names of members present; also, to receive the names of those desiring to become new members. The Committee reported the following names:

Alamance: Rev. W. H. Doherty.

Bladen: Alfred P. Gage.

Cabarrus: J. C. Johnston, W. A. Barrier, Wm. L. Barrier.

Columbus: M. R. Morrison, Haynes Lennon, Robt. M. McRaken, Jesse L. Moffit, John W. Meares.

Dare: C. W. Smythe.

Darien: Miss D. J. Knox.

Duplin: W. J. Bousy, S. W. Clement, Dickson Mallard, Rev. W. B. Jones, Mrs. D. W. Jones, H. Bearden.

Edgecombe: L. D. Eagles, Allen Warren, Givelford: C. H. Wiley, Nathan Blatt, S. Lander, C. C. Cole, J. D. Campbell, C. G. Sterling, A. C. Lindsay, W. F. Alderman.

Hale: Andrew Conigland.

Iredell: Dr. H. Kelly, Miss. C. E. Kelly.

Johnston: J. Edwards, L. Brown, K. J. Ballard, L. P. Crecel, J. D. Massey, N. W. Musgrave, C. S. Powell.

Jones: E. F. Sanderson.

Mecklenburg: Prof. M. D. Johnston, Maj. D. H. Hill, Prof. W. C. Kerr, Mrs. W. C. Kerr.

New Hanover: O. N. Brown, S. D. Wallace, Dr. W. G. Thomas, Jas. A. Wright, B. F. Mitchell, R. G. Wright, Dr. Freeman, Dr. B. E. Arrington, T. C. Worth, A. M. Waddell.

Northampton: Benj. E. Peeler, John H. Peeler.

Pitt: M. T. Mayo.

Raleigh: S. H. Wiley, B. G. Clifford, D. A. Davis, Miss Kate N. Johnston.

Randolph: O. W. Carr.

Robeson: Dugald C. McIntyre.

Sampson: J. M. Millard, L. D. Killen, T. A. Kelley, L. R. Millard, Rev. G. M. Gibbs.

Union: A. Robertson.

Watauga: W. J. Palmer.

Wayne: J. S. McPett, J. G. Elliott, M. P. Grantham, L. W. Coghill, O. W. Suttin, James B. Roberts, N. M. Ray, J. M. Cox, S. J. Price, Isaac Epps.

Wilson: D. S. Richardson, Mrs. Richardson, L. R. Edwards, E. Prentiss Tucke.

The President, on motion, appointed Messrs. C. H. Wiley, D. S. Richardson, and S. Lander, a committee, to report business for the Association. After a short retirement, the Committee made the following report:

Order of business, for Wednesday, Nov. 14th; 1st, election of Officers; 2nd, Report of Committee on Graded Schools; 3rd, Report of Committee on Normal Schools, and discussion of Normal Schools; 4th, Speech of Maj. D. H. Hill, Superintendent of N. C. Military Institute.

Messrs. D. S. Richardson, Sam'l Lander, and W. J. Palmer were appointed a Committee to nominate officers.

The hours of meeting were fixed by the Committee at 9¹/₂ o'clock in the morning, 3 in the afternoon, and 7¹/₂ at night.

On motion, the Association adjourned to meet again, to-morrow, at the time fixed by committee of business.

SECOND DAY—MORNING SESSION.

Wednesday November, 14th.

The Association met at 9¹/₂ o'clock, and was opened with prayer by Rev. W. H. Doherty. Several new members were elected and enrolled.

The first order of business being the election of officers, Prof. W. J. Palmer moved that the President be elected by ballot. The motion being carried, the President appointed Messrs. Palmer and S. Lander tellers. On the first ballot, Prof. C. W. Smythe was chosen President.

The committee appointed to nominate the remaining officers, reported the following, who were unanimously elected to the respective offices:

VICE PRESIDENTS.

Prof. W. C. Kerr, Davidson College, Rev. Hayes Lennon, Columbus, Rev. W. H. Doherty, Alamance, James A. Wright, Esq., Wilmington, Andrew Conigland, Halifax, Samuel H. Wiley, Salisbury.

SECRETARY.

J. D. Campbell, Greensboro, C. C. Cole, Greensboro.

CORRESPONDING SECRETARY.

C. C. Cole, Greensboro.

The next order of business being the report on graded schools, Prof. Smythe,

chairman of the committee, read an interesting report, which was ordered to be published in the Journal of Education.

On motion, the order of the day for 11 o'clock, the address of Maj. Hill, was postponed until to-night.

The Association then took up as the regular order, the subject of Normal Schools.

Rev. C. H. Wiley, chairman of the committee appointed to report on this subject, having no written report prepared, addressed the Association briefly, setting forth the necessity of improvement in the scholarship of our Common School teachers, and showing that we have no schools now in our State that meet the wants of these teachers. He then called upon the members of the Association to give their views freely, on the subject, that we may be able to determine what kinds of schools will best supply the wants of the State.

Mr. S. H. Wiley offered some resolutions, in regard to the establishment of Normal Schools and, on motion, they were received, that the subject might be open for full discussion.

Prof. M. D. Johnston gave some account of the rise and progress of Normal Schools, in Europe, and in those of our States that have given them a trial. He is fully satisfied that these schools have done much to improve teachers and advance the cause of education elsewhere; and advocates the adoption of some such system in our State, so modified as to suit our circumstances.

The subject was then further discussed by Rev. C. H. Wiley, giving further views on the subject, and urging the Association to take some definite action, since the views of a large body of practical teachers must necessarily exert much influence in determining the action of our State Legislature.

Mr. S. H. Wiley advocated his resolutions, stating that they had been drawn up in accordance with the views of many of those who have been long connected with Normal Schools, that have been in successful operation in other States. Having consulted them individually, and in concert, he wishes us to profit by their experience.

Mr. Alfred P. Gage spoke in opposition to Normal Schools, taking the ground that they do not furnish teachers properly qualified for our common schools; that these schools do not furnish an education, but simply supply them with rules and modes of instruction.

Mr. S. H. Wiley replied to these views at some length, showing that the experience of those who had been most interested and had been in situations to form correct opinions, proved that such schools, when properly conducted, furnish the best class of common school teachers.

Mr. John G. Elliott spoke in favor of furnishing some better means for qualifying common school teachers, stating that his experience as an examiner has convinced him that they need more accurate and practical instruction in the branches that they are required to teach.

Mr. N. M. Ray requested that the subject be placed before the Association in a more specific form, that we may be able to vote intelligibly on this question.

On motion, the Association adjourned to meet at 3 o'clock.

AFTERNOON SESSION.

The Association was called to order at 3 o'clock, and the discussion of the subject of Normal Schools was resumed by Rev. W. H. Doherty. He gave some account of his own connection with such schools; he also made statements in regard to the operations and success of various schools, conducted on different plans. He then gave his views in regard to the plan upon which North Carolina should proceed in establishing a normal school. He also mentioned many of the advantages which we may expect to result from such a school.

Mr. J. B. Tallman spoke of the success of those teachers who had been educated in normal schools, in various states where they are in successful operation. He differed somewhat from the speaker who preceded him in regard to the plan, but advocated strongly the establishment of such schools for the better training of our teachers.

At this point, a discussion arose in regard to making some change in the resolutions offered by Mr. S. H. Wiley. Messrs. C. H. Wiley, D. S. Richardson, A. C. Lindsay, W. J. Palmer, took part in the discussion.

On motion, the resolutions were laid on the table, to give place for the following resolution, offered by Prof. Johnston:

Resolved, That a committee of six be appointed to prepare a plan for a normal school and report to the Association at its morning session to-morrow.

The resolution passed, and the President appointed Messrs. M. D. Johnston, S. H. Wiley, W. H. Doherty, W. C. Kerr, C. H. Wiley, and W. J. Palmer on the committee.

5. That the free pupils be selected by the Examining Committees.

6. That pay pupils may be admitted.

This plan was discussed at considerable length by Rev. C. H. Wiley. He considers it the most feasible plan that can be adopted; and that the voluntary action of counties will cause the people to feel more interest in the operations and success of these schools.

Pending this discussion, Mr. Wiley moved that the order of the day for 11 o'clock be postponed until 7¹/₂ o'clock, P. M. The motion was carried.

Maj. Hill then arose and opposed the plan proposed by the committee on the establishment of Normal Schools. He is in favor of beginning with the University, and giving that Institution its proper position, before we spend any money upon Normal Schools. He thinks we should regulate the head, and that will direct the feet.

Mr. S. H. Wiley offered the following resolution:

Resolved, That a committee of three be appointed to advise with the State Superintendent of Common Schools, and aid him in introducing greater uniformity in text books.

The resolution was adopted and the committee appointed consists of Messrs. J. D. Campbell, S. H. Wiley, and D. S. Richardson.

On motion, the Association adjourned to meet at 7¹/₂ o'clock.

EVENING SESSION.

The Association was called to order at the appointed hour, to hear the addresses announced this morning. The President introduced James A. Wright, Esq., of Wilmington, who entertained the large audience assembled with a chaste and elegant address upon the cause of education, and the advancements of the age.

Maj. D. H. Hill, Superintendent of the North Carolina Military Institute, at Charlotte, was introduced, and delivered an interesting and at times truly eloquent address upon the subject of Military education.

The South's peculiarly military and brave people, and military discipline develops virtuous principles, and makes good and law-abiding citizens.

On motion of Mr. A. C. Lindsay, the thanks of the Association were returned to Mr. Wright and Maj. Hill for the rich treat which they have given us, in their able addresses; and they were requested to place copies of these addresses in the hands of the secretary for the use of the Association.

On motion, the Association adjourned until to-morrow morning.

THIRD DAY—MORNING SESSION.

Thursday, Nov. 12th.

The Association met at the appointed hour, and was opened with prayer by Rev. G. M. Gibbs.

The minutes of yesterday were read and approved.

Several new members were elected and their names enrolled.

Letters were read from Hon. John W. Ellis, Governor, W. H. Owen, Col. C. C. Tew, and Rev. Messrs. McKay and Brandon, giving reasons for their absence, and expressing undiminished interest in the success of the Association.

The resolutions of Mr. Wiley which were yesterday laid on the table, were, with the consent of the Association, withdrawn.

Rev. C. H. Wiley offered the following resolutions, which were unanimously adopted.

Resolved, That the views he had expressed, stating that he wished to aid in elevating the masses, and only deferred as to the method of accomplishing this end.

The President made a few remarks.

Mr. S. H. Wiley spoke of the immoral and infidel sentiments of many of our common school teachers, and the influence that may be exerted by normal schools.

On motion of A. C. Lindsay, the report of the committee was adopted.

Mr. S. H. Wiley then offered the following resolution, which was adopted:

Resolved, That a committee of seven, of whom the Governor of the State, and the Superintendent of Common Schools, shall be two, be appointed to lay the plan proposed by the committee on Normal Schools, and adopted by the Association, before the legislature, and with the Assembly, aid in perfecting and carrying out in detail.

The President appointed, in accordance with the above resolution, Gov. Ellis, Rev. C. H. Wiley, D. A. Davis, W. H. Doherty, D. S. Richardson, W. W. Holden, and S. H. Wiley.

The committee on the Journal of Education made a verbal report in regard to its condition and prospects.

The following resolution, offered by Rev. C. H. Wiley, was unanimously adopted.

Resolved, That the By-Laws be so amended as to provide for an additional standing committee, to be called the committee on Military Schools, and to consist of five members.

The following standing committees were announced by the President:

ON COMMON SCHOOLS.—Rev. C. H. Wiley, Hon. John W. Ellis, D. S. Richardson, A. C. Lindsay, E. F. Sanderson.

ON JOURNAL OF EDUCATION.—J. D. Campbell, Rev. C. H. Wiley, D. S. Richardson, S. H. Wiley, W. W. Holden.

LECTURES AND ESSAYS.—S. H. Wiley, C. C. Cole, Rev. W. H. Doherty, W. C. Kerr, D. A. Davis.

EDUCATIONAL STATISTICS.—Rev. C. H. Wiley, J. H. Mills, M. D. Johnston, N. M. Ray, E. P. Tucke.

MILITARY SCHOOLS.—Maj. D. H. Hill, Col. C. C. Tew, Rev. W. B. Jones, J. G. Elliott, W. F. Alderman.

Mr. Richardson, offered the following resolution:

Resolved, That a committee of three be appointed to present before the next meeting of

board of control, consisting of the Chairmen of the counties contributing, and to the visitation and supervision, &c., of the General Superintendent.

4. That the board determines the number of pupils, and then allot these to the counties according to the sums paid by each.

5. That the free pupils be selected by the Examining Committees.

6. That pay pupils may be admitted.

This plan was discussed at considerable length by Rev. C. H. Wiley. He considers it the most feasible plan that can be adopted; and that the voluntary action of counties will cause the people to feel more interest in the operations and success of these schools.

Pending this discussion, Mr. Wiley moved that the order of the day for 11 o'clock be postponed until 7¹/₂ o'clock, P. M. The motion was carried.

Maj. Hill then arose and opposed the plan proposed by the committee on the establishment of Normal Schools. He is in favor of beginning with the University, and giving that Institution its proper position, before we spend any money upon Normal Schools. He thinks we should regulate the head, and that will direct the feet.

Mr. S. H. Wiley offered the following resolution:

Resolved, That a committee of three be appointed to apply to the Legislature for the promotion and advancement of the educational interest of the State, to sustain a periodical devoted exclusively to the cause of Education.

Resolved, That we recommend the North Carolina Journal of Education as worthy of the patronage of the friends of Education throughout the entire State.

On motion the report on the Journal was made the order for three o'clock.

On motion by Mr. S. H. Wiley, Prof. W. J. Palmer of the Institution for the Deaf and Dumb, and the Blind, was requested to address the Association, in relation to the Institution over which he presided, after the reading of the Essay to-night.

On motion, the Association adjourned to meet at 3 o'clock, P. M.

THE TIMES: A SOUTHERN LITERARY AND FAMILY PAPER.

3

which were adopted by a rising vote: Resolved, That the thanks of the Association be tendered to the committee of arrangements in the city of Wilmington for their kind and constant attention to the comfort of the Association; and to the people of the city for their generous hospitality.

Resolved, That the thanks of this Association be tendered the Wilmington and Weldon, the North Carolina, the Atlantic and North Carolina, the Raleigh and Gaston, the Western North Carolina, the Wilmington and Manchester, and the Wilmington, Charlotte, and Rutherford, Rail Roads, for their courtesy in passing delegates to and from this meeting for one year.

Resolved, That the thanks of this Association be tendered to the President and Secretary for the ability and efficiency with which they have performed their duties.

The President made a few closing remarks thanking the Association for the kind and harmonious manner in which they had transacted the business brought before them.

The Association adjourned to meet at the call of the executive committee—Closed with prayer and the benediction by Rev. A. Paul Repton.

C. W. SMYTHE, Pres.

J. D. CAMPBELL, Sec.

Times' Correspondence.

Raleigh, N. C., Nov. 19, 1859.

My dear Editors: The Legislature of the great and conservative old State of North Carolina assembled to-day; and Raleigh presents a gay, lively and city-like appearance. It is the week of our regular November Court; also; and our streets are thronged with members of the Legislature, visitors from various parts of this and other States, and with the hard-earned, honest and chearful yeomanry of our country. The last several weeks of the biennial Session of Legislatures have, ever since my earliest recollection of them, constituted a sort of gay season here. And not only the citizens of Raleigh, but the whole surrounding country look forward to this season with the fondest anticipations of pleasure.

The farmers have all pretty much finished harvesting their crops by this time; their granaries are gormandizing it were, under the weight of an abundant harvest; the wheat is now generally sowed, the cotton picking is nearly over and the legs are pealed and nicely fat-timing. "Colonel Crane's" school has nearly expired, the days are getting cold and short, and the long winter nights are coming on; when all lost time can be easily made up, so that father and sons, warmly clad in their brand new suits of homespun mixed and accompanied by the teacher, must all come out to town at the meeting of the Legislature. In fact, the learned instructor from New York, to whose *ipse dicit* in regard to all such matters, implicit obedience and deference is paid, is decidedly of the opinion that the time lost from school will be more than amply counterbalanced by the advantages, which the enterprising law-makers under his charge will derive from a few days' session among the legislators of the State! And it is truly refreshing and instructive to hear this literary potente, entertaining his wealthy employer, and his ambitious sons, with glowing descriptions of the distinctive eloquence of Clay, Webster, Calhoun and Everett and the illustrious catalogues of American Statesmen; and occasionally entering into learned disquisitions upon the theoretical and abstract principles of political economy and the practical science of declamation and oratory! And among the many other pleasing reminiscences which cluster around those seasons, the imagination is peculiarly regaled with the fascinating appreciation of roast turkeys and pigs, ham and sausages, oysters, mince pies, &c.

But we have fallen upon evil times now-days, and it is difficult to divert the mind, even temporarily, from the gloomy contemplation of the national incubus which is overshadowing and darkening the untold and unfathomed destinies of our country. And, instead of that pleasure and exhilaration which I have heretofore realized on these occasions, the assembling of the present Legislature has rather been suggestive of serious thoughts and feelings. What an admirable provision of Providence is it that a "dim vista" is interposed between us and the future. If the "shadows of coming events" inspire us with such gloom and forebodings, how inconceivably miserable would we frequently be did we certainly know in advance the awful realities which the future holds in store for us. Place the combined wealth, most attractive objects and seductive pleasures of the universe before a man who is doomed to die at a stated time, and though they may please, charm and gratify him for awhile, yet when his mind reverts to his certain and determinate doom, they prove to be but the transitory flashes of light which render still darker, the blackness of despair. And were we certain that the thunderbolts of disunion, internece war and bloodshed were certainly destined to burst forth from the lowering clouds which are overhanging our political heavens, the startled mind would shrink back in awful dread from the contemplation of the revolting ruins of our once great, united and happy country. But the bow of hope still spans her peaceful arch across the angry national elements and sheds her timid light athwart the distant and portentous future. May the God of nations con-

tro the destinies of our country and permit the sun of peace and of Constitutional Union to shine on in undimmed and perpetual splendor throughout the revolving years of coming ages, should be the fervent prayer of Christians and patriots.

The present is, in many respects, the most important Legislature which ever convened in North Carolina. And it will, in all probability, have to determine some of the gravest and most momentous issues which can possibly be presented for the consideration of legislative wisdom. May they meet these issues with a statesmanlike sagacity, calmness and dignity commensurate with the mighty results involved in their consequences. And must this once glorious Union, constituting us it did the realization of the sublime conceptions and fondest hopes of our Revolutionary sages and patriots, be severed and broken into fragments in consequence of Northern fanaticism, injustice and aggression? Has this become intoxicated with the very excess of national peace and freedom? Did national ruin ever overtake a people who were as religious as ours amidst such unparalleled prosperity and happiness? Is there another instance in the history of the civilized world of such a suicidal policy on the part of an intelligent people?—But come what may, let it be remembered by posterity that the South has been the insulted, the wronged and invaded party in this matter. She has forebore, remonstrated, compromised and asked simply to be left to the peaceful enjoyment of her own domestic rights and institutions. They are now acting on the defensive, and if they withdraw from the Union in self-defence, let posterity remember, that the North forced this alternative upon them and is responsible for the dissolution. And I still think a Southern convention is highly necessary, in order to insure entire unanimity and perfect concert of action, in whatever course the South concludes to adopt.

The House of Commons was organized to-day by electing W. T. Douthit, Esq., of Wayne, Speaker; Edward Cantwell, Esq., of Raleigh, Principal and Mr. W. M. Hardy, of Edgecombe, Assistant Clerk; Mr. Webster, of Chatham, Principal, and Mr. Lovell, of Surry, Assistant Door-keeper.

The Senate organized by electing Gen. H. T. Clarke of Edgecombe, Speaker; John W. Alspach, of Forsyth, Principal, and Mr. Sanders, of Salisbury, Assistant Clerk; Mr. Page, of Randolph, Principal, and Mr. Tally, of Chatham, Assistant Door-keeper.

I will endeavor to give you something like a weekly synopsis of the proceedings of the Legislature.

Yours very truly,

WRITTEN FOR THE TIMES.

A COMPENDIUM OF LAW.

NUMBER XXIV.

ESTATES IN COMMON.

Tenants in common are such as hold by several and distinct titles, but by unity of possession; because none knoweth his own severality, and therefore they all occupy promiscuously. This tenancy, therefore, happens, where there is a unity of possession merely, but perhaps an entire disunion of interest of title and of time. One may hold his part in fix, another, for life and another for, years; the estate of one may have been vested fifty years, and of another, but yesterday. The only unity is that of possession; and for this Lord Littleton gives the reason, because no man can certainly tell which part is his own; otherwise even this would soon be destroyed.

Tenancy in common may be created, either by the destruction of an estate in joint tenancy, or by special limitation in a deed, but care should be taken not to invent words which imply a joint estate; and then if lands be given to two or more, and it be not joint tenancy, it must be a tenancy in common. Land given to two, to be helden the one moiety to one, and the other moiety to another is an estate in common; and if one grants to another, half his land, the grantor and grantee are tenants in common, for, as has been said, joint tenants do not take by distinct halves. A *deco* to two persons to hold *jointly* and *severally*, is said to be a joint tenancy; because that is necessarily implied in the word "jointly," the word "severally" perhaps only implying the power of partition.

By section 10, of the same chapter, a provision is made for the partition of lands which lie partly in this state and partly in another. Partition of personal property or a sale thereof may be made by filing a petition in any of our courts, and performing the necessary require- ments.

Whenever a petition is filed for the partition or sale of such personal property, and either party may be an infant, or *non compos*, without guardian, the court shall appoint a guardian for such party.

Estates in common can only be *divided* by uniting all the titles and interests in one tenant, by purchase or otherwise; which brings the whole to one severality; or by making partition between the several tenants in common, which gives them all respective severalties.

Specie for Georgia Banks.

who differed from Holt to be the better and more liberal one; and Mr. Justice Alston noted that *equally to be divided* had been adjudged a tenancy in common even in a *deed*.

Mr. Christian, in his notes on Blackstone, says, "in ancient times, joint tenancy was favored by the courts of law, because it was more convenient to the lord and more consistent with feudal principles; but those reasons have long ceased, and a joint tenancy is now everywhere regarded, as Lord Cowper says it is in equity, as an odious thing. In wills the expressives *equally to be divided, share and share alike, respectively between and amongst*, have been held to create a tenancy in common. 2 Att. 4 Bro. 15, 1 Coke's p. 4mo. 14. I should have little doubt but the same construction would now be put upon the word *severally*, which seems to denote a separation or division." This nicely in the wording of grants, makes it the safest way, when a tenancy in common is meant, to be created, to add express words of exclusion as well as description, and limit the estate to A. and B. to hold as *tenants in common and not joint tenants*.

One tenant in common may have an action on the *cave* against his co-tenant for any act done on the land, amounting to waste or destruction, but he cannot in any event have an action of *trespass quare clausum frigiti* against him, nor against any other person entering under his authority. 1 Div. & Eq. 100. If one tenant in common of lands take the whole profits thereof, the other cannot maintain *cave* for his part. In this state, the law remains as it was, when Lord Coke wrote, "all co-tenants in common take the whole profits, the other has no remedy by law against him, for the taking of the who's profits is no *ejec*tion." At Hawks, 222. But he may have relief in a Court of Equity.

The sole enjoyment of property by one tenant in common, is not of itself an *custer* of his co-tenant, the possession of one being the possession of all. But the sole enjoyment for a great number of years (say 21) without claim from another having right, and under no disability, becomes evidence of title and raises the legal presumption of an *custer*. 1 Div. 223 (1833).

Lands purchased with partnership funds are not held by the owners as tenants in common, but as joint tenants as co-partners. 1. D. & B. Ed. 524 (1827).

By our Rev. Coke, chapter 82. Tenants in common may have partition by filing a petition in the Superior or County Court, or Court of Equity; whereupon five commissioners shall be appointed to divide the land, and they may charge the more valuable dividends with such sums, to be paid to those of inferior value, as they shall judge necessary, in order to make an equitable division, and they shall report to the Court. Where the land is situated in different counties, the petition shall be exhibited in the Superior Court of any one of the counties. The sums charged on minors shall not be payable until the minor shall arrive at the age of twenty-one; and such sums shall bear interest until paid, with a certain provision as to guardians. Whenever application for partition of real estate shall be made to a *court of equity*, and it shall be suggested and made appear, that an actual partition cannot be made without injury to some or all of the parties interested, the court may order a sale of the property. And when land is required for public purposes, it may be sold in the same way: without a provision for *items certos*. In parts, persons *non complices*, imprisoned or beyond the limits of the State.

When any one shall claim dower in any of such lands, the person so claiming, may join in the petition; and on a decree or side, the interest of one third of the proceeds, shall be secured to the person entitled to the dower or right of dower; or the value thereof shall be ascertained, and paid out of the proceeds to such person absolutely.

By section 10, of the same chapter, a provision is made for the partition of lands which lie partly in this state and partly in another. Partition of personal property or a sale thereof may be made by filing a petition in any of our courts, and performing the necessary require- ments.

Whenever a petition is filed for the partition or sale of such personal property, and either party may be an infant, or *non compos*, without guardian, the court shall appoint a guardian for such party.

Estates in common can only be *divided* by uniting all the titles and interests in one tenant, by purchase or otherwise; which brings the whole to one severality; or by making partition between the several tenants in common, which gives them all respective severalties.

THE VOTE OF FLORIDA.

Augusta, Nov. 17.—Returns from sixteen counties in Florida, (official) indicate that Breckinridge will have a majority in the State of 3,000.

Augusta, Nov. 18.—The Bill appropriating one million of dollars to arm and equip the State of Georgia, has passed both branches of the Legislature, and is now a complete law.

Legislature of North Carolina.

The Legislature of North Carolina convened in Raleigh on Monday. This promises to be the most interesting session held for many years. We give below, for reference as well as a matter of convenience to our readers, the names of the members in both branches:

Senate.

Pasquotank and Perquimons—J. M. Whedbee, op.

Camden and Currituck—B. F. Simmons, dem.

Gates and Chowan—M. L. Eure, op.

Hoke and Tyrrell—Jones Spencer, op.

Northampton—J. M. S. Rogers, dem.

Hertford—J. B. Slaughter, op.

Bertie—David Outlaw, op.

Martin and Washington—J. R. Stubbs, op.

Halifax—M. C. Whitaker, dem.

Edgecombe and Wilson—H. T. Clark, dem.

Pitt—E. J. Blount, op.

Beaufort—Frederick Grist, op.

Craven—N. H. Street, dem.

Carteret and Jones—Dr. M. F. Arendell, op.

Greenes and Lenoir—J. P. Speight, dem.

New Hanover—E. H. W. Hall, dem.

Duq'lin—Dr. James Dickson, dem.

Onslow—L. W. Humphrey, dem.

Bladen, Brunswick, &c.—John D. Taylor, dem.

Cumberland and Harnett—Duncan Shaw, dem.

Sampson—T. J. Faison, dem.

Wayne—W. E. Lane, dem.

Johnston—J. W. B. Watson, dem.

Wake—M. A. P. Hobson, op.

Nash—A. J. Taylor, dem.

Franklin—W. Harris, dem.

Warren—T. J. Pritchard, dem.

Granville—C. H. K. Taylor, dem.

Person—C. L. Winsor, dem.

Orange—J. Ish Turner, Jr., op.

Amherst and Randolph—J. W. Heath, op.

Mecklenburg—John Walker, dem.

Cabarrus and Stanly—V. C. Barbour, op.

Rowan and Davie—Dr. J. G. Ramsey, op.

Davidson—J. W. Thomas, op.

Stokes and Forsyth—J. A. Waugh, dem.

Ashe, Surry, &c.—J. D. Wilson, dem.

Irish, Wilkes, &c.—Q. Shurge, op.

Burke, McDowell, &c.—W. W. Avery, dem.

Lane and Gaston, &c.—J. Stowe, dem.

Rutherford, Polk, &c.—A. W. Burton, dem.

Buncombe, Henderson, &c.—Marcus Erwin, dem.

Haywood, Macon, &c.—W. H. Thomas, dem.

Democrats 65; Oppositionists, 55. Democratic majority 10.

Northampton—M. W. Ransom, W. W. Peebles, dem.

Onslow—J. H. Foy, dem.

Orange—H. B. Guthrie, W. N. Patterson, op.

Pasquotank—J. T. Williams, op.

Perquimons—N. Newby, op.

Pitt—B. G. Albritton, Churchill Perkins, op.

Person—Wilkinson, dem.

Robeson—A. McMillian, Eli Wishart, dem.

Rockingham—Rawley Galloway, Thos. Slade, dem.

Rowan—N. N. Fleming, N. F. Hall, dem.

Rutherford—C. T. N. Davis, op. B. H. Padgett, dem.

Randolph—I. H. Foust, Thos. S. Winslow, op.

Richmond—J. G. Blue, op.

Sampson—N. C. Faison, G. W. Autrey, dem.

THE TIMES: A SOUTHERN LITERARY AND FAMILY PAPER.

5

WRITTEN FOR THE TIMES.

The Old Man's Reply.

BY MABEL LANSING.

Beautiful was the reply of the venerable man to the question whether he was still in the land of the living:—“No, but I am almost there.”—*Electric Magazine.*

But not yet in the land of the living.

No, no, but am almost there;

Just on the verge of the land of spirits,

Yes, yes, I am almost there.

Soon, soon, this care-borne heart shall find comfort,

And these failing eyes shall see:

Soon I shall mount on eagle's pinions,

And from pain and death be free.

Ah! my life seems to me like a vision,

Like a tale when it is told;

Like a watch in the night when 'tis finished,

Yet I cannot feel that I'm old;

Though the dying years that have vanished,

Have left on my heart and brow,

The deep trace of full many a sorrow,

That is painful even now.

Years ago in this spot where you see me,

Stood a forest of sublant trees,

And the wood-bird's song rang out joyously,

While their fledglings were rocked in the breeze,

Rocked, rocked in the breeze of the mountain,

And lulled to a peaceful rest.

And all the earth was fresh and beautiful,

And all creatures pure and blest.

There, on that hill stood the cedar and hemlock,

Here the stately oak and pine;

And the oak was clasped by the tendrils

Of the closely twining vine;

For oaks would always tower you know,

And vines would always twine,

But they seldom twine so closely now,

As they did in the 'old time.'

But perhaps 'tis because my eyes are dim,

From the layer of dying years;

And it may be that my heart has grown sick

From vain and foolish fears.

But long years have past and the joyous song,

Of the wood-land bird is hushed;

The trees have fallen, and the twining vines

Are mingled with the dust.

Yet I am still left 'mid the wreck of all

That was beautiful to me;

I have seen three generations pass, pass

Away to vast eternity.

All long is the way I have traveled,

Fall off has my heart grown faint,

And I've almost sunk 'neath my burden,

Yet breasted not a word of complaint.

Now I'm waiting, only waiting, for th' shadows

To a little longer fall;

And am listening, ever listening

For my Maker's welcome call.

No, I'm not yet in the land of the living,

But by the virtue of prayer,

And through th' dying of a blessed Saviour,

Thank God! I am almost there!

WRITTEN FOR THE TIMES

THE STORY

OF

ALIDA CAMERON.

BY VERENA.

(Concluded.)

Clustering with the faces gathering about me, at that period, is one framed with the graces that love hallow in woman. Margaret Anderson was my chosen friend and associate. It was the gentle tenderness of her nature, beaming deep within the asking radiance of her brown eyes, which first won me, and I found her mind stored with jewels, that were lovelier for their setting. Yet she seldom attracted consideration. There was no brilliance to fascinate at a glance, so Margaret passed through the daily walks of quiet usefulness, leaving blessings, as blossoms dispel their fragrance, till reverses in her father's fortune drove her from kindred and friends to a life of stern endeavor among strangers. Thus neighbors and acquaintances read the prose life of my precious friend, but I had listened to a poem whose rhythm she was rendering “perfect through suffering.” O, Margaret, you are wearing stars now open upon that pale brow I saw your mother kiss so wildly, when your poor, sad eyes ran over with parting tears, and the lone figure in its shrouding black was borne away from the bereaved woman, gazing solitarily after her child. I weep still, and all tender hearts did weep wherever you moved, to witness the unfaltering energy that blended so strangely with the wistful mournfulness of your gaze—holier in its depths with every wringing trial.

Two years from the date of our marriage, the shallop plumes of the death angel drooped above our portals, and I was left almost alone in the wide world. My husband was carried to the city of the dead at Laurel Hill. Truly I was widowed, but there hung about me a blessed influence in the memory of the man, whose name I bore. It exalted, even as I wept. Recently I pause to lay the chaplet of unfading amaranth about his urn; sacred, holy, true, the pure shrine where I bow to weep honored tears! If I have sometimes permitted smiles, since these weeds have clung about me, they were not gleams of forgetfulness; only tokens of a new light which has arisen to dispel my darkness.

A spell from the golden cups mantling among dark, green leaves of those rich cotton fields, lying along Southern shores, wafts to me now, happy reveries. Margaret Anderson was teaching in the family of a gentleman, residing among the orange groves and jessamines of the Gulf coast of Florida. My health failed sensibly, and friends advised a warmer climate. I wrote to Margaret, and joyfully she replied, urging that I would use no delay in coming to the delightful city near which she was situated; adding as a great inducement that her yearly rest from school duties fell in the winter season, and we could be much together, before the return of the Arringtons to their country seat.

The soft deliciousness of those balmy airs seems to linger with me yet, as recollection numbers those brief months spent with Margaret in her charmed South. Woman, in her youth, is like wine in its first headed flush; but when more mature years have nurtured her rich

gifts, the wine is deep in its ruby glow, rare and mantling upon life's full goblet! As the rich wine, I found my friend. She inspired me to view with renewed enjoyment, the many beautiful scenes about our daily loiterings, and to find a zest in living, which, I thought, had died with my springtide—the days at Mt. Maure.

One evening Margaret and I had strolled a round the beach, enjoying the moonlight beauty of the waves, while my thoughts wandered to the sandy shore where Philip and I used to watch the shell's rock idle along the surf, and listen to circling gulls as they dipped their glancing wings, and screamed wild sea notes as they flapped landward.

“Margaret,” asked I, after we had passed on for some time silently, “what is the talisman that guards you so effectually from the killing weight of endurance, which has crushed so many, under like trials? You seem to be a shadow which no effort of the destroyer can touch.”

She colored slightly, but soon the usual serenity played across her countenance, as she answered, “I found my amulet through many tears, Alida, and 'tis so precious, my own hand bears the jewel trembling. But when the Master opens my eyes to behold the treasure, he promised strength to retain the priceless gem. I sold all that I had, to make the purchase, and am rich—O, inconceivably rich, possessed of this seal to my inheritance.”

I looked upon her, and wondered if some spirit from the holy presence had not breathed upon her lips, and trailed his robes across her brow, so exalted was the appearance of the whole woman.

I knew her secret history, had seen a struggle between love and pride, wild devotion to letters, then the enthusiasm of a sacrifice laid upon the shrine of Music. A vision passed before me, of how I beheld her once, when the cruel blow fell which sent her into the long fever, from whose burning touch the wasted frame had never rallied. All rose up again;—that crowded room, gifted minstrels winding the delicious harmonies which lifted away men's souls,—and Margaret, passive, oblivious, a walking embodiment, that yet seemed a spectre. She had been solicited to perform for some benevolent enterprise, and with her usual self-sacrifice, had consented. When her part was announced, and she appeared and took her seat before the instrument, there was not a visible shade of sympathy with the divine melodies in which I knew her very soul was steeped. The pale face looked like stone; a creation from which the sculptor had evoked no soul—soul that even lives through marble, and could make the plain face of Margaret beautiful. The first notes sounded through the vaulted room. O spirit of divine accord is not thy essence, the pulsing of a glory, that is perfect? Else why do seraphs strike their burning strings but that music is the echo of that life, whose chords are all in tune?

I saw a faint tinge dawn upon Margaret's cheek. Gradually it deepened, till the crimson burned in livid spots, and the player seemed etherialized, baptized with the anointing flow welling from troubled fountains, as for a multitude waiting in Bethesda. The quivering pathos of her song, the full, deep compass of those tones warring with tenor strains, till tears fell from strong men's eyes, and feeble women grew strong in her, the fervid finale—a recognition of one who had listened, till then unseen—came back in almost perceptible review. In her home among strangers, none knew that Margaret Anderson once lived a twin life with music. But I have seen a rose light dim as the first streaks from Aurora's touch, steal across her cheek, when grand symphonies fell upon her ear; and then the dark eyes grew more radiant beneath their falling lids.

It had often excited my wonder and admiration, how the gentle woman with arm lovingly wound about me then, should have arisen from her former wreck, and wore the look of such constant and deep happiness. She seemed to divine my thoughts since the lapse of her last gently ecstatic words, and drawing me closer to her side, spoke as if in continuation of my reverie:

“Soft and clear as the chime of holy bells, Alida, were the accents of that voice which roused me from my long torpor. I had lain in darkness; chaos, not harmony, had breathed across my heartstrings;—no marvel the quiverings were wild, and broke the chords. But it was very meet; for from the sore bewilderment I looked around for help. Lo, a shining lamp, with golden chains, swinging from above! and I heard one say, ‘Come and see.’ Then began my long search. O, if the lesser lights had never paled, and my harp been shattered, I had not walked ever after with open eyes, or listened to the sweet chants falling from my celestial home! The low singing of humanity was hushed, and with vision quickened for immortal shores, I left all my earthly ruins. Alida, the joy, unutterable of the first revelations, where Faith centres, in her upward flight, is only hymned by angels! When I pass the portals, all goss, then my path will hold a lyre worthy to sound his praise which gave my talisman, even ‘the white stone graven with the new name.’

After I had seen Philip for the first time, the memory of that moonlight walk, with its high lesson, brought abiding comfort into my desolate, pilgrimage life. It was the first wave of that hand which was to close the breach in my warring nature.

Philip had been in Europe three years. We corresponded during the time, and I knew his return was daily expected. A letter forwarded from Philadelphia, informed me that he was once more at Glenarden. He wrote in anti-

pation of seeing me during the winter, as business would probably call him to New Orleans.

How I prayed for that meeting with my brother, Philip Maur! Yet an indefinable dread, a something that waved shadow between my quivering lips and the coveted sweet draught, linked uneasily with the idea of his coming.

“What is it that tells us tales, when we see no human being—that sends the warm blood, flying into consciousness, when perchance our outward ears are closed? A touch upon the ‘electric chain?’ I knew Philip stood by me, though it was in the midst of a festive crowd, and I had no warning of his approach.

“What think you of the genius that carves stone, and develops a thought of such spiritual beauty as is visible through that marble veil, Mrs. Cameron?” said Mr. Arrington, as we paused in our circuit of his splendid rooms, and regarded with delighted interest an exquisite Italian head—the bust of a veiled woman, resting upon a pedestal.

“It is a gift, sir, that thrill me with intense experience of exalted admiration; and while I am filled with wonder, almost worship, at the artist's might, I desire, with irrepressible emotion, to emulate his power.”

“No province of beauty has ever so moved me, as statues and casts, and all those refined reliefs which have found form from the sculptor's chisel.”

“But see,” he inquired, “is there not a higher revelation of Art, her more glorious steeping of creative faculties, in the marvellous coloring that breaks in light and shade, warms with the rich glow of full life, and breathes, in that fine conception portrayed by Murillo? There must surely be more sympathy with nature, more of the devotion that can quicken, when a master thus touches his unborn ideal, and it stands forth, bodied in the similitudes of a divine Original! Marble is hard and cold. Mrs. Cameron, but the tints investing the painter's dream, are a realization of the actual; soft, subdued, yet eloquent in appealing to communion with humanity.”

I was looking at the fine painting to which he had directed my attention, and I comparing with its deep-toned fervor, and superb delineation, the purity and divinely radiant thought glistening from the fair proportions of a grace full model—a moulded poem in every curve, when I turned and saw Philip! He was waiting, with eager and joyful recognition, to make his greeting. The power of speech or motion failed me. His quick eye discerned the essay of my white lips, and with a rapid apology to my companion who was tendering hurried assistance, his strong arm was passed around me, and I heard the deep tones of that so dearly remembered voice, saying in a scarcely audible whisper, “Let me see you on the balcony, Alida. The room is warm and you are faint.”

The fresh night wind recalleth my sinking energies, and thrilled with the delight of knowing it was, indeed, Philip who, then, so respectfully tendered an affectionate, yet distant acknowledgment of his gladness at our meeting. I comprehended at one glance how he regarded our present relations. The warm sentiment written upon his countenance, was a true and beaming happiness at a reunion with his childhood's associate—the companion of his intellectual growth. Was not that enough? What more could womanly delicacy of feeling expect or ask? The warm love of a brother's heart was mine!

A slight change had passed upon my cousin, brother, friend. The abundant hair had lost some threads, and there were lines about the handsome face that yet wore its old meaning. A devotional light deepened in the intense gaze of those bewildering eyes, told of refining influences, furnace fire that had only left that noble nature more exalted.

Philip told me, in glowing words, of his wanderings across the sea. Took my hand, and led me by the castle I Rhine; lifted to my thirsting taste, the deep flow of German song, and recounted ancient legends musical in their mention of famed cities and quaint towns, maidens with unutterable names, and beautiful but incomprehensible myths. Together we worshipped in the vast cathedrals, and read the epistles story upon their stained windows. Surely I seemed in Rome, when Philip discoursed to me of the chants and choirs, and pomp of papal ceremonials—described in his wondrous fashion, the fallen city of the Caesars holding in her regal lap, the sweet, truthful, heaven-born children nursed by inspired Art, or walked with me to view their immortal works.

He had often excited my wonder and admiration, how the gentle woman with arm lovingly wound about me then, should have arisen from her former wreck, and wore the look of such constant and deep happiness. She seemed to divine my thoughts since the lapse of her last gently ecstatic words, and drawing me closer to her side, spoke as if in continuation of my reverie:

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skies, and he blended his voice with hers in a second concert song that has made him happy again. The cadence floats to me at times, and I am more blissful, too; for Philip is my kinsman, and I love to picture him grouped with joys. The tones of his voice are sweeter, chiming with one that he loves—and for their sakes, I will catch the refrain. It steals over me now his hand shivers the chords, and long vibrations quiver across the distance.

Yet I know a more beautiful melody, one that the angels never sing, but only the redeemed. I pray every day that Philip may learn that air.

Evening shadows lay upon the floor, as the weary fingers relaxed their hold with that last quivered sentence, and Alida Cameron leaned back and closed her languid eyes, while the pallor of exhausted strength fell over her face, was thin in its sad outlines, soon the soft breathings told that she slept—calmly, peacefully, as one who dreams of fanning plumes laden with odors—balm and incense that heal and diffuse prayers!

The long, jetty lashes fell upon a marble cheek, for the sleeper dreamed now with closed eyelids. Was it ominous, a prelude to the troubled life strain, that when her mother watched Alida Cameron's cradle slumbers, those silken fringes never wholly shaded the partly unclosed eyes that seemed questioning in their kindness? Rest now, O, tossed with many waves! A guarding minister hovers around thy placid brow, and radiant faces bend their loving gaze to note thy serene repose.

The young girl, whose music of the morning had awakened the day's revelations of Alida Cameron's secret history, tapped lightly at the door.

All was so still; she ventured quietly in.

A striking-looking gentleman followed, and as the lamplight flashed across the sleeper, a quiver of emotion touched his handsome face.

THE TIMES.

GREENSBORO, N. C.

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STATE EDUCATIONAL ASSOCIATION.

The fifth annual meeting of this Association was held in W. I. W. last week. The meeting was a very successful and pleasant one, and we present the proceedings in full on the second page of this paper.

THE LEGISLATURE—GOV.'S MESSAGE.

The organization of both branches of the Legislature is given in the letter from our English correspondent. Our correspondent will keep the readers of the Times posted weekly on the important measures that may come up before the Legislature.

We are indebted to the kind attention of a friend for some items later than we could receive through the mail.

The Governor's Message was read before the House at 12 M. Tuesday. At the time our dispatch left Raleigh, the Message had not been read before the Senate, and therefore we could not receive a copy. Of its contents, our dispatch says:

The Message contains a long dissertation on *ad valorem*, which is in substance, about the same as Gov. Hill's speech last summer. The Governor is for war; he resents the many wrongs of our rights by the North and says that although Mr. Lincoln has been regularly elected, yet we should not submit that Gov. Hill was the regular heir to the British crown, but our forefathers did not submit to him, and therefore we should not submit to Lincoln. Recommends that we confide with our neighboring States as to our future action; also, that a convention be called, that the militia be armed and equipped for any emergency to which they may be demanded.

Both were out, in both Houses Tuesday, the one recommending *ad valorem* by convention and the other for the summer; the other by legislative enactment.

W. A. Jenkins elected Attorney General.

Mr. Spalding, who met the Salisbury Banner, elected Police Physician.

Death of an Editor.

The *Washington Dispatch*, of the 14th last, says:

"It is our painful duty to record the unexpected death of our late friend and associate, Dr. J. Wesley Weller. He returned from the late Newbern Fair in the steamer *Post Boy* on Saturday night, the 11th last, quite well. On Sunday evening he had a chill, and called in medical aid last night. On Tuesday, although quite now well, was able to ride to the polls and deposit his vote. His disease was bilious fever but assumed the typhoid type, yet it seemed not to exact the tears of his friends until some time on Saturday last. On Friday he complained of sore throat, crystallized croup, and he continued to grow worse, but seemed not to anticipate anything serious, and express the wish that his friends should not be written to until Monday. On Sunday night, his pastor, Rev. W. E. Peir, desired if he wished anything special done for him that he would communicate freely. He said he could then think of nothing. He was directed to trust in Jesus. He replied with feeling, 'He is my only trust—I rely on him alone.' Rev. Mr. Wilcox, of the Baptist Church, who roomed next to him, and to whom his friends are much indebted for his ministrations, conversed with him frequently and on Monday morning, when he still expressed his unshaken confidence in his Redeemer. The condition of his throat rendered speaking and breathing difficult and a short time before his death he remarked to Mr. W. E. Peir, 'I will soon all be over.' He calmly breathed his last about 1 o'clock on Monday last. His friends are assured that all was done for him that could be of any avail."

"His residence in this community had been short, but he had secured the confidence and esteem of our citizens. To us, especially, his death is a loss which we fear will be difficult to repair. By the kindness of his friends, his remains were deposited in a metallic casket and despatched to Greensboro on Tuesday."

Dr. Weller was a native of this county, learned the printing business in this place, and afterwards studied Dentistry and had been engaged in its practice for several years. He was a young man of feeble constitution, a good mind, a most amiable, quiet disposition, of fine social qualities and a man of sound principles. He was moreover, a consistent, uniform Christian, having been for many years a worthy and acceptable member of the Methodist Episcopal Church, South.

King Cotton.

Late statistics show that five millions of persons are supported in England by cotton, that 30,000,000 pounds are employed in the production of yarn, and that the capital absorbed exceeds \$750,000,000. Four-fifths of the cotton consumed in England—\$60,000,000 pounds is American.

Lynchburg, Va., Nov. 16.—The trial of Geo. W. Hardwick, one of the proprietors of the *Republican*, for killing Jos. Buiton, of the *Virginian*, last summer, resulted to-day in his acquittal.

Reason or Passion?

Reason should be the rule, and not passion in a free government like ours. Reason alone will perpetuate our liberties unimpaired; passion will madden and destroy.

We commend the calmly dispassionate comments of our neighbor, the editor of the *Richmond Christian Advocate*, upon the present state of political affairs. These views are entirely worthy the source, and of consideration:

It is now satisfactorily ascertained that Abraham Lincoln is elected as President of the United States. The event has excited a painful suspense in the whole country. The great question now is between passion and reason.

Passion indulges in speculations; reason keeps within the limits of great facts and principles. Passion disqualifies for calm deliberation and wise action, and hence may precipitate the adoption of measures which reason will condemn as pregnant with calamity and regret. Passion sits in the present exalted state of the country nothing but spectres of illomen, and already loudly and vehemently predicts national disunion and wildest chaos. It spreads its wing over a wide empire of horrors that may never exist. The fears of most men subside almost as suddenly as they arose, whenever they suspend the suggestions of passion till they hear the clear and distinct utterances of sober reason. Surely where reason is silent, we should not yield to the blind and impetuous zeal of passion. Nor should we sacrifice true patriotism to a morbid sense of honor; for that is a morbid sense of honor which is not sustained by reason, and reason is the only solid foundation of patriotism in all its promptings and in all its action. Passion uncontrolled by reason in a very short time might now plunge the nation into a bankrupt and bottomless abyss of evils on the very edge of which reason seems to stand trembling. It is difficult to be calm as Intel's eyes comes in from every quarter of the land, and this renders it more necessary that passion be restrained till the questions of duty are made plain and unquestioned.

And after all what is it that has so intensely excited some parts of the country? It is the election of a man to the Presidency, by a party known to be opposed to slavery, and who heretofore have never been successful in the presidential contest. The inference therefore is forthwith made, that the South is exposed to all the evils and infamy of an abolition government—an inference we cannot accept as legitimate in fact or in reason. Did Mr. Lincoln receive the suffrages of the North under the pledge that if elected he would violate the Constitution and subvert the Union? Had he given that pledge, the day his election was announced should not have closed before the entire South had commenced the most energetic measures for revolution. Will he execute the purposes of abolition? This he cannot do under the solemn oath to be administered at his inauguration. And who can say that he will take that oath with treason in his heart? Whether it may be his personal opinions of slavery, or however he may be devoted to the wishes and measures of abolitionism, one thing is certain—he knows well that he cannot violate the Constitution in any serious particular without rendering the dissolution of the Union an unavoidable necessity on the part of the South, and thereby involving his own North in calamity and ruin. The Constitution was provided by its sagacious and patriotic founders to protect the South on the occurrence of an event like the present. If Lincoln is not a patriot at heart, he may be made by the Constitution a patriot in administration. Have we not inferred from the fact of his nomination by an abolition party, that his administration will be abolitionist? That his administration will be founded on the herald principles of abolitionism as already proclaimed to the world by Northern fanatics? Such an inference, in our judgment, is not conclusive. And, in our judgment, any serious measures adopted on such an inference, would be unwise and premature.

We should not consider the protection of the South found in Congressional legislation and judicial decisions—in the former of which we have now security, and in the latter unshaken confidence.

But we go a step farther. Not only do we consider the election of Mr. Lincoln as insufficient to justify the prevalent apprehension, but believe that his administration will break up and annihilate the Black Republican party.

No man, surrounded by the constitutional checks attached to the Presidential office, can long hold together the heterogeneous and conflicting elements of the party that elected him. We believe Lincoln is destined by the natural tendency of things to experience the severest execrations from his own party; they will never erect a monument to his fame. The "solidarity" of the Constitution will survive the ruins of treason, fanaticism, and the many other elements that aggregate in the Black Republican party. Let that party try Lincoln, and it will be but to abandon him, and perish. In this way probably the evil of abolitionism will work out its own death.

Tragedy at Newbern, N. C.

A man named James Griffin was shot and killed at Newbern, North Carolina, on Friday last, the 16th inst., by Elisha R. Robinson, sometimes called "Dr." A quarrel had occurred between Griffin and the wife of his slayer, and he had visited the house to apologize for the language he used, when, at the solicitation of the woman, Robinson took a gun from her hands and shot Griffin dead. Both the men,

before the difficulty, were accounted peaceable quiet citizens. Robinson was arrested.

Official Vote of North Carolina.

The Democratic Press of Tuesday, gives the official vote of this State for President and Vice President, as returned to the Executive Department. Breckinridge has carried the State over both Bell and Douglas. The vote totals thus:

For Breckinridge.....18,539
For Bell.....14,900
For Douglas.....5,701

Breckinridge's majority over Bell is 3,549; over Douglas 45,828; and over both 818.

The votes of the counties of Bladen, Madison, and Alleghany, are not counted, they not having been duly returned according to law. They would have increased Breckinridge's majority to over 4,000.

Southern Medical Student.

The New York *Express* publishes some choice extracts from the comments of the Republican press on the proposition of the Southern Medical Students in New York to leave that city. The *Times*, the *World*, &c., attempt to be very witty at their expense, and the *Star* launches out as follows:

Southern and Northern.—The Southern Medical Student is well known in the neighborhoods of Thirteenth street, Irving Place, and Fourth Avenue. He is a long-haired, lantern-jawed, vivacious youth, afflicted with chronic salivation and inveterate profanity. Reared in the semi-savage solitude of a remote plantation, and deriving his titles of monos, gnomes, and behemoth from his negro nurse and playmates, he becomes in New York a puzzle to professors, a terror to landladies, and a malignant captain of gossips. Having finished his scatological course of study, if he be lucky enough to obtain a diploma, he returns to his native wilds to commence practice on a portentous stock of medico-ignorant, and unstrung till the questions of duty are made plain and unquestioned.

Next to his love for tobacco and gin comes his taste for dissipation. Ignorant of law, and innocent of logic, he stock of political ideas consists wholly of those of the people whom he is obliged to come for instruction. If he does not know anything else, he knows that "Yankees" are a shade worse than *thieves* and *robbers*.

He is quite ready to accept from these wretched New Yorkers such a knowledge of physiology as his intellect is capable of receiving, and he balances the debt of obligation by almsgiving his teachers.

The Southern Medical Student—wishes the individual as the type of the species—held an adjourned meeting on Friday night at 751 Broadway. Nearly one hundred and fifty persons were present, including reporters, curios, observers, and Majors, Colonels, and Generals, from foreign parts, caught and brought in for the occasion. We regret to state that some good men were of the number who spoke and acted; and we presume they regretted their own presence, for such sentiments of conservatism and solidarity as they expressed were passed and grinded down by the Student.

The Student was noisy with delight, profuse of oaths, and vocal with insanity. For it was a Southern convention of the representative Student. The Southern most States are to secede from the Union, and the Student is to lead them. We will give him the lead, and he will be the last to follow.

At Newbern the people must be a youthful set, for all are minors.

The next session of the G. D. were voted to be held as follows: Semi annual session at Newbern, beginning on Tuesday, the 10th day of July, 1861, at 9 o'clock, A. M.

The annual sessions to be held at Concord,

Carrollton county, on the 24th Wednesday in November, 1861, beginning at 9 o'clock, A. M.

COAL IN STORES COUNTY, N. C.

Prof. Emmens, of North Carolina, has written a very encouraging letter to Mr. Wm. A. Lash of Stokes county N. C., in regard to the coal found in that county. He says he has carefully examined a specimen sent him and states his opinion as follows:

"It is what is called semi-bituminous. It is not really proper to call it anthracite. I have ascertained that this contains 10 per cent, of volatile matter. The only drawback to its value is the sulphur it contains. I have found it amounts to 2.77 per cent which is a part of the volatile matter. I regard this coal as a very good kind for heating and warming apartments, and is what is really wanted in the State."

The specimen sent him was found upon the waters of Town Fork, a small tributary of Dan River in the Southwestern part of Stokes county.

A SWORD FOR GARIBOLDI.

A subscription has been opened at Naples, with a view of presenting a sword of honor to General Garibaldi. On one side will be represented the victories of the General in 1859, and on the other his triumphs in the Kingdom of the Two Sicilies. The arms of Naples and Sicily will be engraved in gold on the pommel, which will be put up in a convenient form, called "Ara Cava," and furnished cheaper than other remedies for the intestine trouble.

Prepared by J. C. Aver & Co., Lowell, Mass. Prepared for the General, through the *Times*, at 50 cents.

MISS. PARTINGTON IN THE LEGISLATURE.

B. P. Stillwell, who resides on the embankments of Boston, and is well known all the world over as the quaint Mr. Partington, has been elected to the Massachusetts Legislature on the Democratic ticket.

There was a public meeting held in Wilmington on Monday night, which passed resolutions in favor of secession.

The prettiest trimming for a woman's bonnet is a good humored lace.

At Newbern the people must be a youthful set, for all are minors.

MARRIED.

In Mecklenburg county, on the 10th, the Rev. C. F. Lewis, of that county, to Miss Alice, daughter of A. D. McLean, of Mecklenburg.

In Orange county, on the 11th inst., A. D. McLean, of Mecklenburg, to Miss Anna Agnes, daughter of L. B. Chandler.

In Franklin county, on the 12th inst., Miss Garrison to Miss Anna Hawkins.

In Franklin county, on the 13th inst., Mrs. Mary W. Waddell, formerly of this place.

DIED.

In Nashville, Tenn., on the 14th inst., Mrs. Sallie Watson, wife of Col. Wm. B. Watson of that city, and founder of the *Times*, at 751 Broadway. Aged 70 years.

In Charlotte, on the 15th inst., Andrew Townsend, 75 years.

In Yorkville, S. C., on the 16th inst., Mrs. Nancy Blair, aged 74 years.

In Washington, N. C., on Monday last, Dr. J. W. Waddell, formerly of this place. Aged 29 years.

BUCKY VINTAGE, No. 21, 1000. P. O. 1000, New York, Nov. 14, 1860.

Wine—In the dispensary of an Al. Wise. We presume, as a few Lads have been collected together to mourn the loss of one of our beloved brothers, therefore,

BUCKY. That in the death of Mr. John Weston Weston we see that we have sustained a loss which time will not repair, yet we sincerely hope that the stocks and bonds trust that each member may be profitably employed.

BUCKY. That while we grieve for the loss of our brother, the public usefulness still remains, yet there are persons who will feel in more keenly this bereavement, and to them we would offer our hearty condolence and sympathy.

BUCKY. That the citizens of Washington, N. C., who so kindly watched by his bedside, mourned his passing pillow and attended the privilege of paying the last tribute of respect to our deceased brother, have imposed a mortification which time will fail to obliterate from our memory.

BUCKY. That in place of this memory, as far as we wear the useful badge of mourning for thirty days.

BUCKY. That a new of the preamble with the resolution to send to the parents of our deceased brother, and also to the town paper, with the request that the *Wash* in paper copy the same.

Dr. E. L. & T.

JAMES W. ALBRIGHT,

J. H. G. FLEMING,

GEORGE W. HARRISON.

COMMERCIAL.

Greensboro Market.

Reported especially for *The Times*, by B. L. Cole.

Nov. 21.

Bacon 120-15c, beef 50c, lard 10c, butter 10c, coffee 16c-20c, can biscuits 20c-25c, calamine 25c-30c, sperm 40c-50c, corn 20c, meal 10c, chickens 10c-12c, eggs 8c, feathers 40c-50c, flour 25c-30c, hides 40c-50c, dried 12c-20c, lard 12c-15c, molasses 4c-6c, masts 50c-60c, p. oats 40c-50c, pease 20c-25c, sugar, brown 10c-12c, loaf 10c-15c, cracked 10c-14c, yellow 12c-15c, wheats 10c-12c, flour 10c-15c, fruit—ripe apples 4c-6c, peaches, unpeeled 5c-6c, peaches, peeled 7c-8c.

BALTIMORE MARKET.

Nov. 17.—Wheat—New crop white 14c-16c; red 13c.

Corn—White and yellow 10c-12c.

PETERSBURG MARKET.

Nov. 19.—Wheat—White 1.62c-1.65c, Red 1.4c-1.5c, Cotton-mixed 1.15c

THE TIMES: A SOUTHERN LITERARY AND FAMILY PAPER.

MISCELLANEOUS ITEMS.

From the Charleston Courier.
Can Congress Organize, one State being Absent?

We have said that, by the terms of the second and third sections of the Constitution of the United States, the absence of one State will prevent the organization of Congress. A Congress of United States must be composed of Senators and Representatives from each State and the Federal Union. On the meeting of the Delegates at Washington, if South Carolina has no voice there—if she has neither Senator or Representative present—the composition of the Senate and House cannot be made, and Congress cannot be vitalized. If Representatives are present and Senators absent, the House may organize—the Senate cannot, and a Congress of the United States will not exist.

A single illustration is in point: A legal Council of this city requires nine members to be present. Should eight attend, Council could not organize. If thirty States appear, they cannot form a Congress; every State must be present. South Carolina, holding her present position, simply, or strengthening it by securing the resignation of all her Representatives to Congress, absolutely brings the General Government to a "dead lock."

It is forced to use the term Federal Government or Government of the United States, when Congress cannot by the Constitution, be organized at all. It is worse than forced for a portion of these States to say they are the Federal Government, and that they will "coerce the State of South Carolina." Coerce her to do what? To send Senators to the Senate to complete a Congress? Coerce her—how? By sending an army to invade her borders?—Whose army will it be? Who will pay for it? Who will buy a bond of a "Federal Government" that has no vitality, which is "paper" defined by the "dead lock" that is put upon it through the inability of Congress to organize legally.

The fact is, and it is one too that will soon resolve the attention of the members of Congress from the free States, if South Carolina and Georgia do not appear by their Senators at Washington—not an act can be passed legally, nor blow can be struck anywhere, nor a movement of any kind towards legislation in the present United States can be made, and the only escape from the dead lock will be by filing back upon the fifth article of the Constitution, and let a Convention of the whole people be called by application of the Legislatures of two-thirds of the States.

TIME IN NEW YORK.
New York, Nov. 10.—Money market tight and unsettled. Stocks lower. There was a perfect panic at the board. N. Y. Centrals 72—Missouri 65.

Evening—Stocks irregular and dull. The Banks as yet have failed to agree upon any measure to relieve the Exchange market, and consequently exchange is merely nominal. Bank shares of the State and Government securities are seriously lower. Government 5's are offered at 75 without bids.

The Weekly Bank Statement shows the following condition: decrease on loans \$2,395,000—deposits \$1,961,000; in circulation \$282,000 and in deposits \$2,835,000.

New York, Nov. 21.—Sixteen of the principal Banks of this city have resolved to discount fully two and a half millions sterling bills, to relieve the pressure upon produce for European export, and to considerably expand their loans for the present week.

Savannah, Georgia, sterling bills are offered at 75, but no purchasers.

JOHN R. THOMPSON, ESQ.
The *Field and Fireside*, published at Augusta, Ga., of Saturday last, reached us last evening. It contains the vale-lyric of Mr. Thompson, whose connection with it, as editor, ceased with that number. The *Augusta True Democrat* is announcing Mr. Thompson's retirement.

Mr. T. brought to the paper an exalted reputation as a writer and critic. He retires from it with no diminution, but an increase of fame among our people, whose verdict has been uniformly favorable to its conduct under his able and brilliant management as Editor of the Literary Department. We feel that Mr. Thompson's retirement (he returns to Virginia) will be a loss to our State. May prosperity attend him and happiness always.

NORTH CAROLINA CONFERENCE.
The Secretary of North Carolina Conference is authorized to announce that all visitors to the ensuing Conference, to be held in Salisbury on the 5th of December next, will be passed for one fare to and fro on the Atlantic and North Carolina, the Wilmington and Weldon, the North Carolina, the Raleigh and Gaston and the Western Extension Railroads, and that they will be furnished with return tickets at the depot, where they start, on the four first-named roads. If visitors by the way of the Western Extension Railroad are not furnished with return tickets, the Secretary of the Conference will supply them with certificates.

LAYING OF A CORNER STONE.
The corner stone of the new Male Academy and Masonic Hall, at Winston, was laid on Saturday afternoon last, with the usual Masonic ceremonies. The brotherhood subsequently repaired to the Methodist Episcopal Church on Main Street and were addressed by Rev. J. E. Mann, *Western Seated*.

THE VOTE OF TEXAS.
New Orleans, Nov. 16.—The latest returns from Texas indicate that that State has gone for Breckinridge by 4,000 majority.

IN DOUBT.

There seems to be some doubt about who is elected Senator from Richmond and Robeson. We thought it was understood that General Deckery, Whig, was elected, but we learn from the Fayetteville *Carolinian*, that the Sheriff of Robeson has given his certificate to Neill McNeill, Democrat. It seems that at the appointed time for the Sheriffs of the two counties to meet and compare the votes, the vote of Richmond was not produced, and McNeill having a majority in Robeson, the Sheriff of that county gave him his certificate. It may be that the Senate will have to decide the matter.

VOTE OF VIRGINIA.

Richmond, Nov. 16, 11 p. m.—Official returns from one hundred and sixteen counties give Bell nine hundred and thirty-four majority.

Official returns from thirty-three counties give Breckinridge six hundred and nine majority. Bell's clear majority so far, three hundred and twenty-five.

The same immortal four counties yet to hear from: viz—

Clay, Logan, Webster and Wyoming.

The official returns from Wise and Lee have been received.

KENTUCKY.

The Louisville *Courier* gives the vote official and unofficial, of seventy-four counties, with the following result: Bell, 53,578; Breckinridge, 23,623; Douglas, 21,623. Lincoln gets over two thousand votes. The entire majority of Bell over Breckinridge in the whole State will be over 12,000.

MISSOURI.

The returns from this State, in all but 26 counties, foot up as follows:

Bell, 51,391
Douglas, 51,785
Breckinridge, 2,4784
Lincoln, 14,880

Douglas leads Bell 204 votes, and they run so close together that it is still doubtful which has carried the State.

TENNESSEE.

The returns from all but fourteen counties in Tennessee show a majority of 2,023 for Bell. His friends claim a majority over Breckinridge of not less than three thousand in the whole State.

MARYLAND.

The official vote in this State gives Breckinridge over Bell 725; over Douglas 35,311; over Lincoln 39,891.

INDIANA.

The Augusta *Dispatch* of Wednesday afternoon, has the following:

Our table contains returns from all the counties but four. Our count (errors excepted) makes

Breckinridge, 49,518
Bell, 44,963
Douglas, 11,812

The counties to be heard from give Brown 270 majority.

MISSOURI.

Indiana, Nov. 14.—Returns received from 83 counties of the State give the following official aggregate:

Lincoln, 107,631
Douglas, 84,531
Breckinridge, 11,235
Bell, 5,902

Lincoln's plurality is 22,500, and will probably reach 25,000. His majority over all will be about 5,000.

SOUTHERN MANUFACTURES.

It is stated that an important manifesto is soon to be issued by Southern statesmen—Statesmen, Butler, Foote, Bixby, Bell, and others calling on the South to remain in the Union, and setting forth the utter impossibility of any acting committed detrimental to her interest during Lincoln's administration. This will be issued before the meeting of the South Carolina Convention.

We had a slight sprinkling of snow on last Wednesday morning.

Medical.

HOWARD ASSOCIATION, Philadelphia. A benevolent Institution established by special Endowment, for the Relief of the Sick and Distressed, and especially for the Care of the Sick and Orphans, MEDICAL ADVICE given gratis by the Acting Surgeon, to all who apply by letter, with a description of their condition, name, occupation, habits of life, age, and cause of extreme poverty. Medicines furnished free of charge. VALUABLE REPORTS on Spasmus, &c. and other Diseases of the Sexual Organs, and on the NEW REMEDIES employed in the Dispensary, sent to the interested parties, and no per cent. to be exacted. Two or three Stamps for postage will be acceptable.

EDWARD D. HAGGARD, President.
Nov. 6—*64, Fairchild Street, New York.*

WHY DO YE SUFFER WITH CANCER, ASTHMA, SCROFULA, OR ANY SKIN DISEASE, WHEN IT IS YOUR POWER TO BE SPEEDILY AND EFFECTUALLY CURED? Having treated many very bad cases of some which were given up as hopeless by physicians, I can assure all who have diseases of a very short time. Seeing is believing and all men are incredulous. I can produce a number of certificates from some of the first men in this and the adjoining States. Bills will be made, or medicine sent by mail.

He is also in possession of a plain and simple way by which the worst cases of Stuttering and Stammering can be cured in a very short time. The afflicted would do well to send him and describe their case.

W. E. EDWARDS,
Greensboro, N. C.

RUGS &c.—PORTER & GORELL

are now receiving the largest stock of DRUGS, MEDICINES, CHEMICALS, PAINTS, OILS, &c. ever offered in this market. One of the firm has just returned from the Northern markets, where he has been for several weeks, selecting with extreme care every article pertaining to the business. We are fully informed of the qualifications of physicians in our country, may stock and splendid assortment. We feel confident that we can fill their orders with such an excellent quality of Drugs and their orders with entire satisfaction.

HENRICO PILE LOTION—The
only known sure remedy for the piles. For details see the drug store.

may 3 PORTER & GORELL.

SCHOOL DIRECTORY.

PELHAM MALE INSTITUTE, MADISON, BUCKINGHAM COUNTY, N. C.—A First Class School for Boys, Rev. L. B. Stiles, A. M. Principal. Students thoroughly prepared for college. The practical studies of life, Scholarship thorough and rigid. Illness and dissipation positively forbidden. Tuition \$10 to \$20. Board \$8 per month. Next Session opens on Wednesday, January 30th, 1861.

BERWYN—Hon. Thomas Settle, Hon. W. A. Graham, J. M. Jones, Esq., Gen. Peter Hurlston, J. H. Dilbeck, Capt. Col. J. Masten, Wm. Martin, Esq., Hon. Davis, Rev.

Nov. 24th.

CHARLOTTA FEMALE COLLEGE—

The Exercises will be resumed on the 10th October, with a full Board of Instruction.

Tuition and Board per session of Twenty Weeks—\$90.00 on Music on Piano—\$22.00

All the seminary branches of moderate rates. Latin and Greek languages included in regular course. Tuition and Board payable in advance. Young ladies furnish their own school.

E. R. WELSH.

Sept. 15th.

GREENSBORO FEMALE COLLEGE—

The Spring Session of 1861 will begin on the first Tuesday in January, and close on the third Thursday in May. There will be no Winter vacation. The regular exercises of the College will be suspended only a day at Christmas.

There will be exercises next Session, for college pupils.

Those intending to send their daughters will please inform the subscriber at an early day.

Terms as heretofore. For full particulars apply to:

Nov. 8th.

J. M. JONES.

GRAND VIEW FEMALE SEMINARY, MARY, MARIETTA, GA.—Ms. Mrs. NANCY MORTON, Principal, with Misses J. M. and A. M. Assistant. This Institution is located in a healthy and interesting region of country seven miles north of Marietta Station, on the North Circular Railroad.

tuition per session of FIVE WEEKS—\$100.

Higher English Branches—\$15.00 per week.

Music on Piano—\$15.00 per week.

French—\$15.00 per week.

Oil Painting—\$15.00 per week.

Wax Work and Embroidery—\$15.00 per week.

Board per session of FIVE WEEKS—\$100.

The fall session of this Institution will commence on the 15th of July, 1861. Letters should be addressed to:

J. M. MORTON,

Morton's School, Marietta, Ga.

THE PAPER FOR YOUR FAMILY: A NORTH CAROLINA PAPER.

Nov. 15th.

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